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8 **Attorney for Plaintiff**

9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE DISTRICT OF ARIZONA**

11 **LOUISE SANTISI,** ) Case No.  
12 )  
13 Plaintiff, ) **COMPLAINT**  
14 )  
15 vs. )  
16 )  
17 **ALLIED INTERSTATE, INC.,** )  
18 )  
19 Defendant. )  
20 )  
21 )  
22 )

23 **I. INTRODUCTION**

24 1. This is an action for damages brought by an individual consumer for  
25 Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et*  
26 *seq.* (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive,  
27 deceptive, and unfair practices. Plaintiff further alleges a claim for invasion of privacy  
28 ancillary to Defendant's collection efforts.

29 **II. JURISDICTION**

30 2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).

31 **III. PARTIES**

32 3. Plaintiff, Louise Santisi, is a natural person residing in Maricopa County.

33 4. Plaintiff is a "consumer" as defined by the FDCPA, 15 U.S.C. § 1692a(3).

1           5. Defendant, Allied Interstate, Inc., is a corporation engaged in the business of  
2 collecting debts by use of the mails and telephone, and Defendant regularly attempts to  
3 collect debts alleged to be due another.  
4

5           6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §  
6 1692a(6) trying to collect a “debt” as defined by 15 U.S.C. §1692(a)(5).  
7

#### 8                                   **IV. FACTUAL ALLEGATIONS**

9           7. At various and multiple times prior to the filing of the instant complaint,  
10 including within the year preceding the filing of this complaint, Defendant contacted  
11 Plaintiff in an attempt to collect an alleged outstanding debt. Defendant’s conduct  
12 violated the FDCPA in multiple ways, including but not limited to:  
13

14                   a) Causing Plaintiff’s telephone to ring repeatedly using an auto-dialer, and  
15                   failing to make an employee available to speak to Plaintiff within a  
16                   reasonable time after Plaintiff picked up the phone (§ 1692d));  
17

18                   b) Failing to properly take account of a letter from the original creditor (and  
19                   copied to Plaintiff), which states that the original assignment to Allied was  
20                   in error; instead of taking proper account of the letter and stopping the  
21                   collection contacts, Defendant doubled the amount owed (§ 1692f(1) & §  
22                   1692e(10) & § 1692d))  
23  
24

25           8. Defendant’s aforementioned violations of the FDCPA also constitute an  
26 invasion of Plaintiff’s right to privacy, causing injury to Plaintiff’s feelings, mental  
27 anguish and distress.  
28

1           9. Defendant's aforementioned violations of the FDCPA also constitute an  
2 intentional intrusion into Plaintiff's private places and into private matters of Plaintiff's  
3 life, conducted in a manner highly offensive to a reasonable person. With respect to  
4 these activities of Defendant, Plaintiff had a subjective expectation of privacy that was  
5 objectively reasonable under the circumstances.  
6

7  
8                   **COUNT I: VIOLATION OF FAIR DEBT**  
9                   **COLLECTION PRACTICES ACT**

10           10. Plaintiff reincorporates by reference all of the preceding paragraphs.

11                   **PRAYER FOR RELIEF**

12           WHEREFORE, Plaintiff respectfully prays that judgment be entered against the  
13 Defendant for the following:  
14

- 15                   A. Declaratory judgment that Defendant's conduct  
16 violated the FDCPA;  
17                   B. Actual damages;  
18                   C. Statutory damages;  
19                   D. Costs and reasonable attorney's fees; and,  
20                   E. For such other and further relief as may be just and proper.  
21

22                   **COUNT II: COMMON LAW INVASION OF PRIVACY BY INTRUSION**

23           11. Plaintiff reincorporates by reference all of the preceding paragraphs.

24                   **PRAYER FOR RELIEF**

25           WHEREFORE, Plaintiff respectfully prays that judgment be entered against the  
26 Defendant for the following:  
27

- 28                   A. Actual damages

- 1 B. Punitive Damages; and,  
2 C. For such other and further relief as may be just and proper.  
3

4 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

5 Respectfully submitted this 29<sup>th</sup> day of October, 2008

6 By: s/ Marshall Meyers  
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